



# U.S. DEPARTMENT of STATE

## Yemen

### International Religious Freedom Report 2005

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some restrictions. The Constitution declares that Islam is the state religion, and that Shari'a (Islamic law) is the source of all legislation.

There was no change in the status of respect for religious freedom during the reporting period, and government policy continued to contribute to the generally free practice of religion. Muslims and followers of religions other than Islam are free to worship according to their beliefs; however, the Government prohibits conversion from Islam and proselytization of Muslims.

Although relations among religions remained generally amicable and continued to contribute to religious freedom, there were some attacks on Jews. Government action against armed insurrections by the "Shabab al-Moumineen," or "Believing Youth" movement, which the Government believes is linked to Twelver Shi'ism of Iran, caused some political, tribal, and religious tension in the country.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

#### Section I. Religious Demography

The country has an area of approximately 328,080 square miles, and its population is approximately 20 million. Virtually all citizens are Muslims, belonging either to the Zaydi order of Shi'a Islam or to the Shafa'i order of Sunni Islam, representing approximately 30 percent and 70 percent of the total population, respectively. There are also a few thousand Ismaili Muslims, mostly in the north.

Nearly all of the country's once-sizable Jewish population has emigrated. Less than 500 Jews are scattered in the northern part of the country, primarily in the vicinity of Raida and Saada.

There are approximately 3000 Christians throughout the country, most of whom are refugees or temporary foreign residents. There are approximately 40 Hindus, who trace their origins to India, living in Aden. There are four churches in Aden, three Roman Catholic and one Anglican. Aden also has one Hindu temple. There are three known functioning synagogues in the north of the country.

Although there were some non-Muslim public places of worship known to exist in the area of the former North Yemen, they were discreetly located so as not to draw attention. No officially recognized non-Muslim public place of worship exists in areas of the former North Yemen. This is largely because it has no history of a large, resident foreign community such as existed in the south.

Christian missionaries and nongovernmental organizations (NGO) affiliated with missionary groups operated in the country, and most restricted their activities to the provision of medical services; others are employed in teaching and social services. Invited by the Government, the Sisters of Charity run homes for the poor and persons with disabilities in Sana'a, Taiz, Hodeida, and Aden. The Government issues residence visas to priests so that they may provide for the community's religious needs. The Swedish Free Mission (SFM), financed by the government of Sweden and churches in Sweden, runs a technical school for the disabled and poor in Taiz. There is also a Dutch Christian medical mission in Saada. An American Baptist congregation affiliated with the Southern Baptist Convention maintains an affiliation with a hospital in Jibla, which it ran for more than 30 years before transferring management to the Government in 2003. The Anglican Church runs a charitable clinic in Aden.

The generally amicable relationship among religions in society contributed to religious freedom, however there was some religious tension among Shi'a in the country as well as between the Government and some members of the Zaydi-Shi'a establishment. This tension was a result of Government action against the "Shabab al-Moumineen" armed insurrection that

erupted in the summer of 2004 and again in April 2005. The Government maintains that the Shabab are adherents of Twelver Shi'ism, a variant of Shi'ism which differs from that of the country's predominant Zaydi-Shi'as. The Shabab follow the teachings of rebel cleric Hussein Badr Eddine al-Houthi, killed during a 10 week rebellion that he led against the Government in Saada beginning in June 2004. The Government's actions against the group were politically, not religiously, motivated.

Among religious minorities, approximately 1000 Christians and most Jews actively participate in some form of formal religious service or ritual, although not always in a public place of worship.

## **Section II. Status of Religious Freedom**

### *Legal/Policy Framework*

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there were some restrictions. The Constitution declares that Islam is the state religion and that Shari'a is the source of all legislation. Followers of religions other than Islam are free to worship according to their beliefs and to wear religiously distinctive ornaments or dress; however, the Government prohibits the conversion and proselytization of Muslims, requires permission for the construction of new places of worship, and prohibits non-Muslims from holding elected office. The Muslim holidays of Eid al-Adha, Muharram and Eid al-Fitr are public holidays. Other religious groups in the country are not negatively impacted by their celebration. The Government does not keep track of an individual's religious identity and there is no law that requires religious groups to register with the State. Jews, Christians and Hindus, the non-Muslim indigenous minorities, may vote but according to a 2001 Election Committee decision, they cannot hold elected office. Chapter 2, Article 106 of the Yemeni Constitution further notes that the President of the Republic must, "practice his Islamic duties."

Public schools provide instruction in Islam but not in other religions; however, Muslim citizens can attend private schools that do not teach Islam. Almost all non-Muslim students in the country are foreigners and attend private schools.

### *Restrictions on Religious Freedom*

Government policy and practice contributed to the generally free practice of religion; however, there were some restrictions.

In June 2004, the Government used military force to put down an armed insurgency by the "Shabab al-Moumineen" (The Believing Youth) in the northern governorate of Saada. Shi'a cleric Hussein Badr Eddine al-Houthi led the rebellion and was killed in the conflict. In April 2005, the Shabab re-ignited their rebellion in the Saada region, and supporters also conducted violent attacks against Government officials in Sana'a, the capital.

Government actions to counter the increase in political violence restricted some practice of religion. For example, in January 2005 the Government banned the celebration of Ghadeer Day in the Saada Governorate, a holiday celebrated by some Shi'a. The Government also reportedly limited the hours that mosques were permitted to be open to the public, reassigned Imams who were thought to espouse radical doctrine, and increased surveillance and detention of members of the Shabab.

The Government prohibits the proselytization of Muslims. During the year there were reports of persons being temporarily detained for possession of religious materials with the intent to proselytize.

The Government did not allow the building of new public places of worship without previous authorization. At the end of the reporting period, Roman Catholic officials were still waiting for a decision from the Government on whether it would allow an officially recognized Roman Catholic establishment to be built in Sana'a. Church officials did not attribute Government action to discrimination. In February 2004, a previously established church in Aden was allowed to reopen. In June 2004, despite local opposition, the Government permitted a church to raise a cross on top of its building.

Weekly services for Catholic, Protestant, and Ethiopian Christians are held throughout Sana'a, Aden and other cities without government interference. Throughout the country, Christian church and Jewish synagogue services are held regularly in private homes or facilities, such as schools, without harassment, and such facilities appear adequate to accommodate the small numbers involved.

Yemen maintains regular diplomatic relations with the Vatican. In November 2004 President Ali Abdullah Saleh paid an official visit to the Pope. During the reporting period, The Papal Nuncio, the Vatican's nonresident Ambassador to the Yemeni Government, and the Apostolic Vicar to the Arabian Peninsula, Bernard Vicar, also visited Yemen. Public schools provide instruction in Islam but not in other religions; however, Muslim citizens can attend private schools that do not teach Islam. Almost all non-Muslim students in the country are foreigners, and attend private schools.

The ruling General People's Congress (GPC) and the Islah Opposition Party both draw on Islam as a basis for law in their platforms. The ruling GPC does not exclude members of any religion from its membership. Islah requires that a member must be "committed" to Islamic teachings. There are other minor political parties that are Islamic in nature, although it is not clear if they restrict their membership to Muslims.

Non-Muslim citizens may vote but may not hold elected office.

Throughout the reporting period, the Government increased efforts to prevent the politicization of mosques in an attempt to curb extremism and increase tolerance. Efforts concentrated on monitoring mosques for sermons that incite violence or other political statements that it considers harmful to public security. Private Islamic organizations may maintain ties to international Islamic organizations; however, the Government sporadically monitored their activities through the police and intelligence authorities.

During the reporting period, the Government increased its efforts to close unlicensed schools and religious centers. In March, the Government announced that it closed over 1400 unlicensed religious schools. The government expressed concern that these schools deviated from formal education and promoted militant ideology. In 2003, the government ordered the closing of all unlicensed private schools. Private and national schools are prohibited from teaching courses outside of the officially approved curriculum. The purpose of these actions was to curb ideological and religious extremism in schools.

Following the unification of North and South Yemen in 1990, owners of property previously expropriated by the communist government of the former People's Democratic Republic of Yemen were invited to seek restitution of their property. However, implementation has been extremely limited, and very few properties have been returned to previous owners. The Roman Catholic Church was unable during this reporting period to recover restitution for its confiscated property.

The Constitution declares that Islamic Shari'a is the source of all legislation. Some local customs, believed to be part of Shari'a as practiced in Yemen, are codified in various laws and policies. Some of these laws discriminate against women and persons of other faiths.

According to the Government's interpretation of Shari'a, Muslim women are not permitted to marry outside of Islam. Under 1992 Personal Status Law No. 20, men are permitted to marry as many as four wives, although very few do so. The law also forbids men from marrying non-Muslims (except for Jews and Christians) or apostates, those who have renounced Islam. The law requires that the wife must obey the husband, consummate the marriage, and not leave the home without his consent.

Women who seek to travel abroad must obtain permission from their husbands or fathers to receive a passport and to travel. Male relatives are expected to accompany women when traveling; however, enforcement of this requirement was not consistent. Some women reported being able to travel freely without male accompaniment. The Penal Code allows leniency for persons guilty of committing a "crime against honor," a violent assault or killing, committed against females for perceived immodest or defiant behavior. Legal provisions regarding violence against women state that an accused man should be put to death for killing a woman. However, a husband who kills his wife and her lover may be fined or imprisoned for a term of 1 year or less.

#### *Abuses of Religious Freedom*

In June 2004 the Government issued a press release accusing Jews who live in the north of backing the al-Houthi rebellion in Saada. The Government retracted the statement, carried by the local media, the next day.

Official government policy does not prohibit or provide punishment for the possession of non-Islamic religious literature; however, on occasion there were credible reports that persons were harassed by members of the Political Security Organization (PSO) and by police for possessing such literature (see Section II). There were reports that some members of the PSO monitored, harassed, and occasionally censored the mail of missionary groups and those associated with them, ostensibly to prevent proselytizing.

Under Islamic law as applied in the country, the conversion of a Muslim to another religion is considered apostasy, a crime punishable by death. Around November 2004, authorities in the southern region of Ibb reportedly arrested approximately 20 citizens who were Muslim converts to Christianity or were seeking information about Christianity. Each of the detainees was reportedly beaten, forced to identify other converts and inquirers, and to pay a bribe. All of the converts were released in January 2005. There were no reported cases in which persons were charged with apostasy or prosecuted for it by government authorities.

Police and security forces continued to detain suspected members of the Shabab as well as radical Islamist groups throughout the period covered by this report. Since 2001, the Government has detained several hundred Islamists who returned to Yemen from Afghanistan and/or Iraq "for questioning." Although many such persons were released within days, some reportedly continue to be detained beyond the maximum detention period as terrorist or security suspects.

Throughout the year, the Government continued to sponsor a dialogue with the Shabab and Islamist detainees. The dialogues are led by Islamic scholars in an attempt to arrive at an understanding by which detainees are released in exchange for repentance of past extremism, denunciation of terrorism, and commitments to obey the laws and government, respect non-Muslims, and refrain from attacking foreign interests. The program has had limited success.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

*Abuses by Terrorist Organizations*

There were no reported abuses targeted at specific religions by terrorist organizations during the reporting period.

**Section III. Societal Attitudes**

The generally amicable relationship among religions in society contributed to religious freedom.

The country is predominantly Muslim. Apart from a small but undetermined number of Christians and Hindus of South Asian origin in Aden, Jews are the only indigenous religious minority. Religious minorities generally live in harmony with their Muslim neighbors. However, during the reporting period, Jews faced some incidents of popular anti-Semitism. Jewish visitors to Sana'a reported being attacked by a number of students chanting anti-American and anti-Israel slogans. The students caused damage to their car and kicked them. Jewish children rode to school in a covered truck to protect them from stones. Jewish residents reported being unable to construct official schools or synagogues for fear that they would be destroyed by Muslim neighbors.

Isolated attacks in recent years by anti-Jewish extremists have convinced most of the country's Jews to relocate to the town of Raida for safety and to sustain their community. The Jewish population has diminished significantly over the last 50 years due to voluntary emigration, from tens of thousands to a few hundred.

There were no reported incidents of violence or discrimination between the adherents of Zaydi and Shafa'i Islam, the two main orders of Islam practiced in the country. However, there were reports of slightly increased tension as a result of the political fallout of the Saada insurgency. Religiously motivated violence is neither incited nor tolerated by the Islamic clergy, except for a small, politically motivated clerical minority, often with ties to foreign extremist elements.

As part of its campaign against religious extremism, the Government also took action to improve conditions that affected societal attitudes on religious freedom. In May 2004, the Ministry of Endowment and Guidance conducted a ten-day training course for 700 Imams to promote principles of moderation and religious tolerance.

Christian clergy, who minister to the foreign community, are employed in teaching, social services, and health care.

**Section IV. U.S. Government Policy**

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Embassy maintained an active dialogue on human rights issues with the Government, NGOs, and others. Embassy officers, including the Ambassador, met periodically with representatives of the Jewish and Christian communities during the reporting period.

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[International Religious Freedom Report Home Page](http://www.state.gov/g/drl/rls/irf/2005/51614.htm)